

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
WRIT PETITION (STAMP) NO.33174 OF 2018

Kallappa Anna Awade Ichalkaranji Janata
Sahakari Bank Limited. .. Petitioners

Vs.

Deputy Commissioner of Sales Tax
& Ors. .. Respondents

...

Mr. Nitin P. Deshpande for the Petitioners.

Mr. Y.A. Sonpal, Special Counsel with Mr. Y.S. Khochare, A.G.P.
for Respondent Nos.1 and 2.

Mr. Kaushal Sawant i/b Mr. Puneet K. Gogad for Respondent
Nos.3, 4, 5 and 9.

...

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 05th FEBRUARY, 2020.

P.C:-

1. On the same cause of action challenging the same order and demand notice as pleaded in paragraph 16 of the Writ Petition, the Petitioners had filed Writ Petition No.10562 of 2018 which was dismissed in default on 04th September, 2018. The

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Petitioners have filed Civil Application (Stamp) No.28849 of 2018 seeking restoration of the said Writ Petition.

2. In that view of the matter, the instant Writ Petition is rejected as not maintainable. The Petitioners' remedy is to seek restoration of Writ Petition No.10562 of 2018 and if the Petitioners are unsuccessful in seeking restoration thereof, the Petitioners can avail remedy as per law.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)